

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ELLE NGUYEN, *et al.*,

Plaintiffs,

v.

MERCER ISLAND BOYS BASKETBALL  
BOOSTER CLUB, *et al.*,

Defendants.

CASE NO. 2:23-cv-00855-RSL

ORDER GRANTING MOTION TO  
COMPEL DEPOSITIONS

This matter comes before the Court on “Defendants Boys & Girls Club of King County and Marc Munson’s Motion for Court Order to Compel Depositions of Plaintiffs.” Dkt. # 88. In early August, defendants emailed plaintiffs’ counsel regarding plaintiffs’ availability for deposition. At the time, the relationship between plaintiffs and their counsel was breaking down. Jenny Cochrane began the process of withdrawing as counsel, and plaintiff Elle Nguyen was unwilling to have Ms. Cochrane represent plaintiffs at their depositions. When it was clear that no dates were forthcoming, defendants served deposition subpoenas on all three plaintiffs. The motion to withdraw was granted on September 26, 2024, after the deposition dates indicated on the subpoenas.

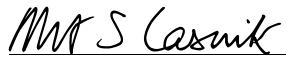
Ms. Nguyen does not object to the depositions, she just did not want to have Ms. Cochrane representing her or her children. It is not at all clear how defendants thought the depositions could proceed as originally scheduled on September 10, 12, and 17 once they

1 learned that plaintiffs had fired their attorney, but she remained counsel of record (in part  
2 because defendants refused to stipulate to the withdrawal). Until the representational  
3 matters were resolved, Ms. Cochrane could not defend the deposition and defendants were  
4 barred from communicating directly with plaintiffs under RPC 4.2.

5 Now that Ms. Cochrane is no longer involved in the case, defendants may  
6 communicate with and depose plaintiffs. The parties shall confer to identify mutually  
7 agreeable dates and times for the depositions, which shall take place within 30 days of the  
8 date of this Order. The depositions of the minor plaintiffs, A.A. and G.A., shall be  
9 scheduled on the same day and shall be limited to two hours each. Ms. Nguyen may attend  
10 the depositions of A.A. and G.A., but may not make objections or otherwise interrupt in  
11 any way.

12  
13 For all of the foregoing reasons, defendants' motion to compel plaintiffs to sit for  
14 depositions (Dkt. # 88) is GRANTED.

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16 Dated this 25th day of October, 2024.

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19 Robert S. Lasnik  
United States District Judge  
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